



HAGURUKA
Defending the rights of women and children



ADR COMMUNITY LED ASSESSMENT

REPORT

Assessment Conducted by
HAGURUKA

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TABLE OF CONTENTS

ACRONYMES AND ABBREVIATIONS	3
ACKNOWLEDGEMENT	4
1. EXECUTIVE SUMMARY	5
2. INTRODUCTION	6
2.1. Brief Introduction of Haguruka	6
2.2 Context	7
2.3 Objectives of the Assessment	8
3. METHODOLOGY	8
3.1 Methods of Data Collection	8
3.2 Analysis	9
4. PRESENTATION OF THE FINDINGS	9
4.1 Profile of respondents in focused group discussions	9
- Members of ADR community-led structures	9
- Local leaders	10
4.2 Existing community-based structures of ADR and their modus operandi	11
4.2.1 Existing government-led ADR structures	11
5. Modus operandi	11
4.2.2 ADR led by government partners (CSOs and FBOs)	14
- Civil Society Organizations involved in ADR	14
- Faith based organizations involved in ADR	15
4.3. Illustrative achievements, success stories and best practices of existing ADR service providers/initiatives	16
6. Abunzi and MAJ	17
- Inteko z'Abaturage, Inshuti z'Umuryango, Umugoroba w'Imiryango and Isibo ..	18
- <i>Inshuti z'Umuryango</i>	18
- ADR structures initiated by FBOs and CSOs	19
- Local level Initiatives to disputes resolution	19
4.5. Gender considerations in disputes resolutions	20
4.5. Needs and challenges of existing ADR structures/initiatives	21
5. CONCLUSIONS AND RECOMMENDATIONS	23
5.1 Conclusion	23
5.2 Recommendations	24
References	26
Annex 1	27
Annexes 2	30

ACRONYMES AND ABBREVIATIONS

ADR	Alternative Dispute Resolution
PPIMA	Public Policy Information Monitoring and Advocacy
CSOs	Civil Society Organisations
FBOs	Faith Based Organisation
ES	Executive Secretary
NST	National Strategy for Transformation)
NPA	Norwegian People's Aid
AJPRODHO	Association de la Jeunesse pour la Promotion des droits de l'Homme et Developpement
RWAMREC	Rwanda Men's Resource Center
RCN	Justice & Démocratie
LAF	Legal Aid Forum Rwanda
MINIJUST	Ministry of Justice
MIGEPROF	Ministry of Gender and Family Promotion
MINALOC	Ministry of Local Government
MINUBUMWE	Ministry of National Unity and Civic Engagement
NWC	National Women's Council
JRLOS	Justice Reconciliation Law and Order Sector
RIB	Rwanda Investigation Bureau
EPR	Église presbytérienne au Rwanda
ADEPR	Association des Eglises de Pentecote au Rwanda
ALACs	Advocacy and Legal Advice Centers
AJICS	Anti-corruption Justice and Information Centers
FXB	Association François-Xavier Bagnoud

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I take this opportunity to thank the Ministry of Justice for the orientation support they gave to the assessment. Much appreciation goes to the Ministry of Local Government in general and districts of where the assessment was conducted in particular for their unwavering support that contributed to the success of this exercise.

Sincere gratitude goes to Haguruka management and staff for their tireless work during the preparation and conduct of the assessment. I also recognize the contribution of sister CSOs intervening in access to justice, particularly GLIHD for their help to meet the assessment expectations. The role of participants in responding to the topics of discussion remains instrumental to ensure the assessment objectives are met.

Last but not least, our deepest grateful is dedicated to Norwegian People's Aid for the robust financial and technical support that helped ensure the successful completion of the exercise.

1. EXECUTIVE SUMMARY

We are pleased to present the findings from an assessment on ADR community-based structures, conducted in 10 districts in Rwanda: Ngoma, Kayonza, Ruhango, Nyanza, Nyamasheke, Karongi, Gakenke, Musanze, Gasabo, and Kicukiro. It aimed at contributing to the knowledge on alternative dispute resolution towards their effectiveness in Rwanda. The assessment was qualitative in its nature and used focus group discussions with key stakeholders for data collection. Focus group discussions involved 586 people in 20 separate groups across target districts. Participants in FGDs include local leaders who are involved in alternative dispute resolution and mediation, as well as volunteers involved in different structures for alternative dispute resolution.

The assessment revealed that there are many approaches and structures of ADR to operate in the same communities. Most of the structures are led by the government and supported by CSOs and FBOs. However, FBOs and CSOs have initiated separate initiatives and use different approaches to support community members to resolve the disputes through mediation and social healing. Duplication and waste of resources are likely to happen due to the absence of coordination of efforts. There are new approaches and structures that are under the pilot but they already seem to be promising practices based on how they are appreciated by the community.

There is a lot done in capacity building for ADR structures, but they are still gaps in skills and resources to ensure an effective alternative dispute resolution.

In sum, the findings from the assessment give details on successes in using existing ADR structures and approaches in the country. More importantly, the assessment highlighted the gaps, such as the limited capacity building of ADR structures, lack of conducive working environment and tools, lack of coordination of ADR structures and incoherence in working methodology, lack of motivation and facilitation to ADR volunteers to mention but few. Those challenges need the attention of the government and its partners in order to improve the work of ADR structures and to ensure that the mediation and dispute resolution are effective and productive.

Recommendations drawn from the assessment include but are not limited to:

- The Ministry of Justice in collaboration with FBOs forums and CSOs in access to justice should establish regular coordination forums of formal and informal ADR structures at national and local levels that would serve as an information-sharing forum to streamline monitoring and harness the achievements of all ADR actors.
- MINIJUST, MIGEPROF, MINUBUMWE, MINALOC, affiliated agencies, districts, and CSOs, should strategize on how they can mobilize resources to provide necessary tools and materials to volunteers of ADR structures in order to help them fulfill their roles effectively.
- Government and its partners to strengthen the capacities of ADR volunteers by sharpening them on key laws such as family law, GBV law, child protection law, land law, succession law, techniques of mediation, and documenting the cases.
- Government and partners should encourage synergy of volunteers in different ADR structures, especially those with the related mission and similar approaches to avoid duplication of effort, scattered interventions, and working in isolation while serving the same beneficiaries.
- Public authorities in districts should involve CSOs and FBOs in ADR initiatives and capitalize on their influence and coverage.

UMURERWA Ninette
National Executive Secretary

2. INTRODUCTION

The term "alternative dispute resolution" or "ADR" is often used to describe a wide variety of dispute resolution mechanisms that are short of, or alternative to, full-scale court processes. The term can refer to everything from facilitated settlement negotiations in which disputants are encouraged to negotiate directly with each other prior to some other legal process, to arbitration systems or mini-trials that look and feel very much like a courtroom process. Processes designed to manage community tension or facilitate community development issues can also be included within the rubric of ADR. ADR systems may be generally categorized as negotiation, conciliation/mediation, or arbitration systems. Negotiation systems create a structure to encourage and facilitate direct negotiation between parties to a dispute, without the intervention of a third party. Mediation and conciliation systems are very similar in that they interject a third party between the disputants, either to mediate a specific dispute or to reconcile their relationship. Mediators and conciliators may simply facilitate communication, or may help direct and structure a settlement, but they do not have the authority to decide or rule on a settlement.

Although the term ADR was developed and applied from a Western context as an alternative conventional justice, Rwandans recognize ADR as their own ordinary, historical and cultural approach for addressing conflict and harm. In line with this, Haguruka undertook an assessment to map out existing ADR community structures in Rwanda. The ADR assessment was conducted in ten districts, namely: Ngoma, Kayonza, Ruhango, Nyanza, Nyamasheke, Karongi, Gakenke, Musanze, Gasabo, and Kicukiro. The assessment was commissioned by HAGURUKA and was conducted between October and November 2021. The assessment report provides information on the context, the approach, methodology, findings, as well as conclusions and recommendations.

2.1. Brief Introduction of Haguruka

Founded in 1991, as a non-governmental organization, HAGURUKA mission is to promote and defend the rights of women and children by improving their access to quality justice across the country. Our right holders are empowered to claim their fundamental rights from duty bearers in line with relevant international and national legal instruments applicable in Rwanda.

The organization has a zero-tolerance approach towards sexual exploitation, abuse, and harassment; and the organization implements programs that address the immediate human rights needs of vulnerable women and children while working towards combating Gender-Based Violence (GBV) and promoting gender equality. HAGURUKA's interventions focus on: 1) Legal aid and psychosocial counseling support, 2) capacity development and Awareness-raising, 3); and 4) Research and advocacy. In districts of operations, the organization collaborates with other actors to strengthen community-based mechanisms and structures to ensure gender equality becomes a daily experience with more focus on children and women's rights and protection.

In August 2021 Haguruka entered into a partnership with Norwegian People's Aid to implement a project titled "**Public Policy Information Monitoring and Advocacy**" (PPIMA) as part of enriching the scope of the organization's mission and contributing to the national cause of

strengthening the rule of law, promote good governance and a culture of peace to ensure universal access to quality justice.

2.2 Context

In the aftermath of the 1994 genocide against the Tutsis, The Government of Rwanda faced numerous challenges mostly the puzzle of justice delivery to victims of genocide and other societal conflicts that existed in the community. As part of home-grown resolution mechanisms, the country leadership resolved to offer justice using various traditional alternative dispute resolution forums such as Gacaca and Abunzi. In the same spirit, CSOs and FBOs also established a number of community-based dispute resolution structures to facilitate parties in conflict to resolve their differences amicably.

The relevance of community led conflict resolution forums is emphasized by the soon to be adopted ADR policy, the National Legal Aid policy and the statement of President Kagame during the launch of the Judicial Year 2020/202; who said that: ***“We wish that Rwandans further embrace the use of this approach of resolving disputes and conflicts through mediation. This will reduce the backlogs of cases as well as new cases filed in courts.”*** The practical relevance of traditional institutions in governance and conflict resolution cannot be understated. In many countries, traditional institutions, such as the dare¹ in Zimbabwe, abunzi and the gacaca courts of Rwanda, and the bashingantahe² in Burundi, continue to play tremendous roles in conflict resolution. These institutions have presided over cases such as land disputes, civil disputes and, in some instances, criminal cases. There is a growing recognition by legal professionals and practitioners that some disputes can be better resolved through agreement rather than court verdict. This is what is referred to as Dispute Alternative Resolution (ADR) jurisprudence. An undoubted advantage of mediation and conciliation embedded in the ADR jurisprudence is the ability to get speedy access to a process that may produce a satisfactory outcome for the parties in a short space of time.

Despite the existence of different ADR community-based structures, there is a high reliance on litigation that pressurizes the court system through backlogs and delays in court delivery as well as breaking social cohesion in the Rwandan society. According to the Judicial Annual report for the year 2018-2019³, the number of cases filed in courts does not correlate with the capacity of courts, mainly in criminal, family and commercial cases. For instance, the number of cases lodged in courts in 2019 was between six hundred (600) and nine hundred (900) and yet, the number of judges remains the same. Furthermore, despite the evidence that demonstrates their practical relevance, little has been done to research on the effectiveness and bottlenecks of the community-based structures for alternative dispute resolution. It is in that context that Haguruka in partnership with NPA is exploring the potential of community-based ADR structures so as to join the government’s effort in peacebuilding and justice. It is also in this regard that Haguruka

¹ *Dare* is a local court in Zimbabwe, which comprises the village head and a council of advisors and community members. It is a conflict resolution institution found among the Shona people. Criminal and civil cases are tried in the presence of local community members and the village head, in consultation with the council advisors, gives a ruling. According to the Zimbabwe constitution, a dare can refer a case to the modern court if the case contents prove to be beyond its jurisdiction.

² Bashingantahe is a traditional institution in Burundi, comprising a body of local people vested with social, political and judicial power to resolve conflicts

³ MINIJUST Annual Report 2018- 2019; page 16 –Judiciary of Rwanda: <https://www.judiciary.gov.rw>

undertook the assessment on the Alternative Dispute Resolution mechanisms at the community level.

2.3 Objectives of the Assessment

The overall objective of the assessment was to contribute to the body of knowledge on alternative dispute resolution community structures towards their effectiveness in Rwanda.

The assessment exercise had the following specific objectives:

- Find out different initiatives of alternative dispute resolution that exist and how they operate
- Explore achievements, success stories, and best practices that can be replicated in other parts of the country
- Examine needs and challenges that ADR initiatives are faced with;

3. METHODOLOGY

The assessment considered some research steps from study design to data analysis and validation. This assessment was exclusively relying on qualitative information, guided by a semi-structured interview schedule. Quantifiable information was used for mathematical calculations and statistical analysis; such that interpretation can be made based on these mathematical derivations.

3.1 Methods of Data Collection

The assessment covered 10 districts (Ngoma, Kayonza, Ruhango, Nyanza, Nyamasheke, Karongi, Gakenke, Musanze, Gasabo and Kicukiro) purposively selected either because they are covered by NPA partners in the PPIMA project or there is a Haguruka office. The assessment used qualitative methods including desk review, focus group discussion, and consultation of meetings in the selected districts and with civil society organizations at the national level.

Desk review was undertaken to ensure a better understanding of the policy and legal framework related to community-based structures and to serve as a basis for analysis on working procedures, organization, and functioning of ADR structures. In this case, various reports, laws, policies, and pieces of literature relevant to the jurisdiction of this assessment were consulted. Using semi-structured interview protocols, qualitative data were collected via focus groups among members of community-based structures for alternative dispute resolution and local leaders who deal with citizens' complaints. Survey items were selected based on the assessment objectives. All focus group discussions (FGDs) were conducted in Kinyarwanda by Haguruka staff. In total, 20 focused group discussions were successfully conducted in all covered districts for an in-depth understanding of the assessment topic of interest.

For a better understanding of the working methodology of various actors involved in legal aid services provision, two meetings were organized with Civil Society Organizations operating in the access to justice domain to gauge their inputs on the development of ADR model given their long-term experience in the delivery of justice at the community level.

3.2 Analysis

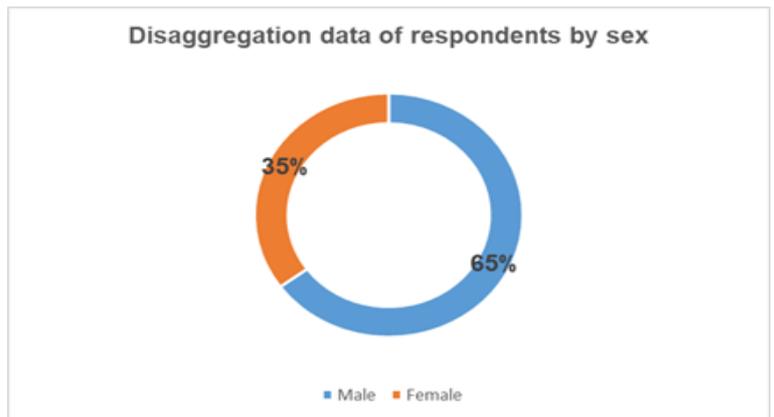
The assessment used qualitative data analysis techniques including organizing data into logical and meaningful sections. The sessions were defined based on the assessment-specific objectives and the guiding questions used during focus group discussions. Data were coded and a thematic analysis was done, concluded by the interpretation of data. More concretely, the data analysis was based on empirical findings from the 10 selected districts. The authors proposed four steps of analyzing qualitative information: (i) collecting data; (ii) cleaning data/ contextualizing data according to assessment objectives; (iii) data analysis and interpreting and (iv) coding the data.

4. PRESENTATION OF THE FINDINGS

This part is divided into 5 sections. Section one describes the profile of respondents in focused group discussions from the 10 districts. It starts with the sex disaggregation of participants, status of respondents either from community disputes resolution structures or local leaders. The second section discusses existing ADR community led structures in the 10 districts and their modus operandi, the third section discusses achievements, successes and best practices, the fourth section discusses needs and challenges of ADR structures, while the fifth section discusses gender considerations in ADR structures.

4.1 Profile of respondents in focused group discussions

In total, 20 focus group discussions (FGDs), i.e. two groups per District were conducted and 586 people showed up. Among all participants, **382** of them representing **65%** were male whereas **204** representing **35%** were female. At national level, Haguruka and GLIHD organized 2 consultative meetings that brought together state and non-state stakeholders involved in the delivery of mediation services.



- **Members of ADR community-led structures**

Participants from ADR community structures included *Abunzi*, *Inshuti z'Umuryango* (IzU), *Umugoroba w'Imiryango*, CSOs and FBOs. As illustrated in figure 1 below, 296 people attended, majority of them being males (63.5%). *Inshuti z'Umuryango* were the most represented (40.5% of the total participation) followed by *Abunzi* (31%). CSOs were the least represented, with 5% of the total number of participants.

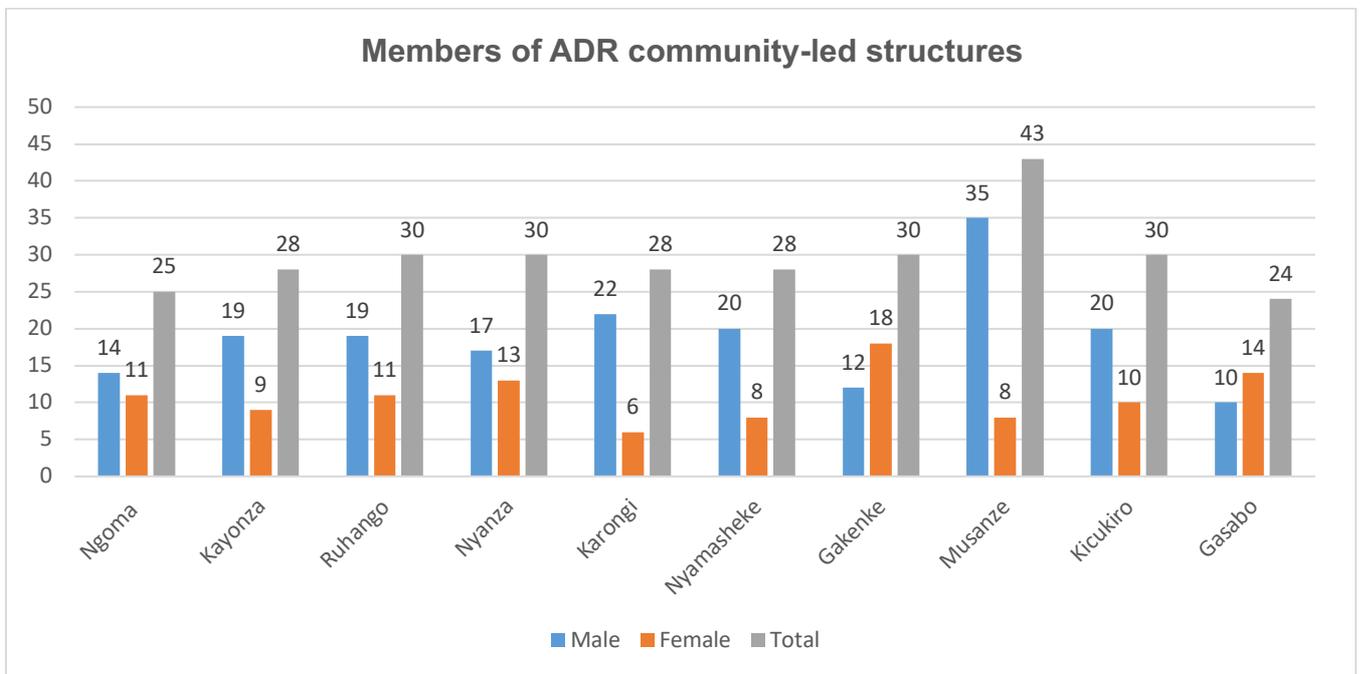


Figure 1: Participation of Members of ADR structures in FGDs

- Local leaders

whereas participants on the side of local leaders included Village leaders, Executive Secretaries of Cells, Sector and district officials such as Gender officers, MAJ, Good Governance Officers, JADF Coordinators, members of JRLOS, Police, Prosecutors and professional bailiffs. As illustrated in figure 2 below, 290 people participated in the interviews with focus group discussions. Of them, about 67% were males and only 33% were females. Leaders from village and cell levels were the most represented (29% and 29.3% of the total number of participants respectively). Leaders at the sector level were the least represented (16.5%).

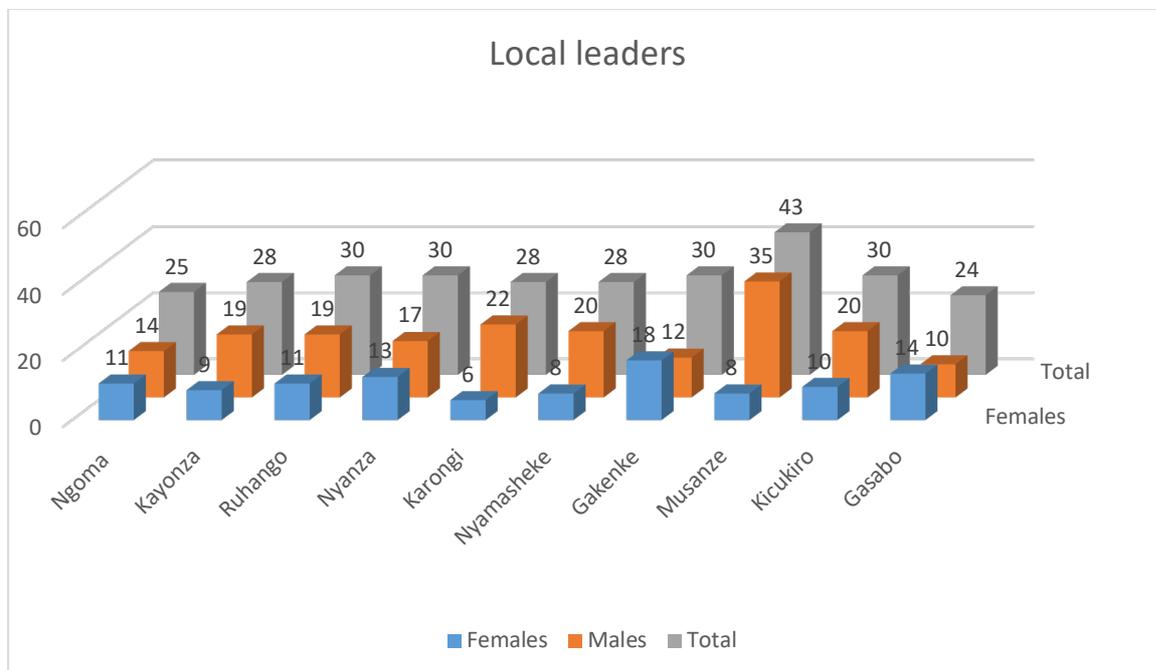


Figure 2: Participation of local leaders in FGDs

4.2 Existing community-based structures of ADR and their modus operandi

The analysis of existing practices shows that mediation is the most used ADR process under different terms and different schemes. The assessment revealed that beyond formal ADR initiatives established by law, such as Abunzi and Arbitration, there are many informal, effective ADR mechanisms at the national and grassroots level. Informal mechanisms developed out of group interest or as a result of civil society organizations' interventions. Others were initiated in response to the needs and concerns of stakeholders and lack of any other means to address those needs. Some of those informal ADR practices are effective in addressing the needs of their beneficiaries because of the leadership of these initiatives. This effectiveness has increased recognition and collaboration with local leadership, and they are now used as referrals to support community members in conflict.

4.2.1 Existing government-led ADR structures

As illustrated by the table below, the mapping exercise done during the assessment found out 11 different structures involved in alternative dispute resolution at the local level, in the target districts. They all have been initiated by the government institutions or FBOs and get support from different governmental and non-governmental institutions (CSOs and FBOs) to operate.

N0.	ADR initiatives by institutions	Initiated by:
1	Abunzi	Government (MINUJUST)
2	JRLOS	Government (MINIJUST)
3	Inshuti z'umuryango	Government (MIGEPROF)
4	Umugoroba w'imiryango	Government (MIGEPROF)
5	National Women Council	Government (MIGEPROF)
6	Inteko z'abaturage	Government (MINALOC)
7	Unity & reconciliation forum	Government (MINALOC)
8	Isibo	Government (MINALOC)
9	Igiti cy'ibisubizo	NGOMA District
10	wiwusenyura turahari	Sake sector (Ngoma District)
11	Bamaso program	Kagarama Sector (Kicukiro District)

5. Modus operandi

Abunzi: The *Abunzi* mediation is part of the Rwandan justice system and it is recognized under the law No 37/2016 OF 08/09/2016 Determining Organization, Jurisdiction, Competence and Functioning of Abunzi Committees. The structure operates at cell level, and sector level at appeal. It is composed of seven people elected by citizens at each level. The competence of Abunzi is limited to civil disputes of value not exceeding three million (3, 000, 000) Rwf for movable and immovable property and breach of contract. They are also competent for family disputes except those related to civil status. The process of the Abunzi Committee is a hybrid process combining a phase where the panel assists parties to settle their disputes and a phase where the Abunzi panel deliberates on the case and comes up with a decision when the parties failed to reach their own agreement on the settlement of their disputes. The decision of Abunzi is subject to appeal.

MAJ: "Maison d'Acces a la Justice" is recognized under the Prime Minister's Order N° 239/03 of 08/12/2016 determining the mission, functions, organizational structure and summary of job positions, salaries and fringe benefits for employees of the ministry of justice/office of the attorney

General (MINIJUST). Initiated in 2007, the structure operates at the district level. MAJ serves as the first point of orientation with legal aid service for Rwandans. MAJ mainly provides legal information/education as well as legal advice. MAJ staff helps citizens settle their disputes through dialogue, but have no guidelines for the process of mediation used to help parties in dispute reach a settlement.

Inshuti z'Umuryango (IZU): IZU is a community-based structure recognized by the Ministerial order of January 2016 establishing and determining the functioning of Inshuti z'Umuryango. It comprises two people i.e. one male and one female deployed in every village. The structure operates at the village level. The structure has a representative at cell, sector and district levels. IZU uses the approach of home visits to discuss with households' members on different topics relating to child protection and peaceful cohabitation of couples. They specifically intervene in families with conflicts by visiting them and acts as facilitators of parties in conflicts to discuss on the issues and reach amicable resolution.

Umugoroba w'Imiryango: The structure is recognized under the Ministerial order of September 2020 governing organization and functioning of Umugoroba w'Imiryango. Umugoroba w'Imiryango is a village based forum that brings together (men, women and youth) residing in the same village. The forum is governed by the committee of 5 people elected by the village general assembly. The forum convenes once in a month mainly on the 3rd week of the month and has below objectives: a) to promote relationship and social welfare of family members; b) prepare couples who would wish to join marriage c) prevention of crimes and conflicts in families and resolve conflicts where they exist d) promote child upbringing and protect children against abusive practices, and promote gender equality and complementarity. The designed topic of interest surrounding the stated objectives is discussed during the session and later whoever has an issue can raise it for attention. Art 27 of guidelines determining the functioning of the forum stipulates that *“executive committee shall select a group of people with integrity who will visit, discuss and resolve conflicts in families for the purpose of adhering to principles of secrecy”*.

National Women Council (NWC): recognized under the law **N°02/2011** of 10/02/2011 determining the responsibilities, organization and functioning of the National Women's Council, the National Women Council has committees at all levels of administration in the country. The committee is composed of 7 people. The council is a forum for advocacy and social mobilization on issues affecting women in order to build their capacity and ensure their participation in the development of the country in general, and the development of women in particular. The main responsibilities include a) to gather and analyze ideas of women; build their capacity; sensitize women to participate in the country's development programmes; advocate for gender equality; and serious issues affecting the development and the rights of women. It deals with issues of GBV and works closely with Umugoroba w'Imiryango and Inteko z'Abaturage to advance the cause of women. On different occasion, members of the National Women Council intervene in disputes resolution on conflicts involving families.

Inteko z'abaturage: Inteko z'abaturage or citizens' general assemblies in English are governed by the Ministerial order of December 2019 facilitating local government to resolve citizens' complaints/problems. It operates at the cell level. It doesn't have a committee. The Executive Secretary of the cell or other superior leaders present moderates the sessions. Inteko z'Abaturage convenes twice in a week mainly on Tuesday and Friday during afternoon hours. They bring together all citizens/residents of the cell. Other participants include: a) all village leaders b) cell leaders, c) other leaders from sector, district, Province or national level d) representatives of other organs operating in the cell, and security organs. During the forum the citizens discusses issues

pertaining to development of the cell and solve the citizen grievances or conflicts in collective orientation or effort of all participants present. *The parties in conflict may present their disputes in front of participants and participants analyze the case and take consensual decision on how the case can be resolved and only leaders present help reach and document the conclusion.*

Unity & reconciliation forum/club: The forum is recognized under the Instructions no 02/2019 of 26/02/2019 governing the functioning of unity and reconciliation in district. The forum is composed of 16 people at sector level and 15 at sector level who come from key diverse structures operating at the local level as stipulated in the guidelines governing forum. The forum is mandated to promote the culture of peace, and solidarity. These clubs mobilize people on the unity and reconciliation, engage in the commemoration of genocide against the Tutsis as well as serving as bridge that unites genocide survivors and perpetrators. The forum brings together genocide perpetrators and genocide survivors through healing sessions designed to promote unity and reconciliation as well as encouraging the perpetrators to pay back properties abused during the genocide. This approach has been successful at serving the goals of restorative justice and ADR in general that is, of restoring constructive relationships that create safety, understanding and peace

Isibo: the structure has been recently established and there are no guidelines GOVERNING it so far. It is composed of 15 to 20 families and is ruled by three people i.e. the chairperson in charge of coordination and 2 vice-chair persons: one in charge of child-protection and another in charge of GBV. It has overall mandate identifying issues of families that including issues that need advocacy, students that are not going to school as well as mobilizing people on government programs. Isibo's chairperson (**Mutwarasibo**) compiles reports and submits them to the village leader for attention and advocacy to the next level. Isibo can be an effective structure due to its small and manageable size. It plays the role of mediating citizens on minor issues raised out of disagreement and it is currently serving as primary reliable and supportive organ.

Igiti cy'ibisubizo: Translated in English as "the tree of answers", the initiative is piloted by the District Authorities in Ngoma District. It puts together all actors involved in resolving citizen complaints in the District. It consists of sessions of key stakeholders to receive and address citizen grievances. Sessions are held under a tree where the Mayor sits, surrounded by other staff responsible for resolving citizens' complaints such as MAJ officers, Good governance officers, RIB, Police, Land officer and representatives of working in access to justice. It was called the tree of answers simply because whoever brings in the case gets immediately the answer because all organs in charge of resolving issues are present. The practice has been institutionalized to the extent that citizens know when, where and at what time they can bring the issue to responsible people. Citizens don't come to knock on offices asking appointment with the mayor because they know that every Thursday at the designated place, the mayor and other officials will be present.

Wiwusenya Turahari: This is initiative started in Sake sector, in Ngoma district to address the issue of family conflicts. It is a structure made of a group of 6 people: 3 men and 3 women who elected by citizens on the basis of integrity and leaving in families free from conflicts. Those people intervene mainly in families with conflicts and serve as strong mediators to contribute to social cohesion at the community level. According to district authorities the program is very successful and the district is planning to rollout the initiative to all sectors of district.

Bamaso program: This approach was initiated by Kagarama sector, in Kicukiro district as a sustainable way of addressing citizen's issues, where all structures that deal with citizen issues i.e. Abunzi, IZU, Village leaders jointly work together in synergy to address citizens' complaints

together to avoid duplication and confusion of citizens who may be given different information and to avoid citizens burden of losing time in going around to reach different organs.

4.2.2 ADR led by government partners (CSOs and FBOs)

- Civil Society Organizations involved in ADR

Haguruka: The organization uses the approach of couples dialogues by bringing together couples living in conflicts and assisting them in dispute resolution through a transformative approach. This proximity approach is key for creating an environment that is conducive to the prevention of GBV. Picking successful examples of healthy couple relationships from the neighborhood to accelerate mindset set change to favor gender equality and better lifestyles. Community-based facilitators contribute to the durability of interventions. Additional best practices include training a critical mass of community volunteers for the facilitation of dialogue sessions, regular coordination meetings of information with local authorities. Furthermore, with the Haguruka legal aid centers, legal officers that provide mediation services as a form of legal service delivery, a mediator (Legal Officer) brings two parties in a conflict together to assist them to reach the common ground mostly in family matters.

Never Again Rwanda: The organization uses healing sessions facilitated by people of integrity (Inyangamugayo) who get training from Never Again Rwanda on mediation techniques in order to promote reconciliation between genocide perpetrators and survivors. The goal of this approach is to empower citizens with non-violent means of resolving conflict, build trust and promote trauma healing and genocide prevention. Never Again Rwanda provides training in dialogue facilitation skills and peace education, and spaces for peaceful dialogue are supported.

RWAMREC: The Organization uses the approach of engaging men as potential partners in building peaceful families. RWAMREC selects those families in conflict and form groups and supports them using *“the journeys of transformation model”* to address conflicts related to gender based violence between couples through creating a space for self-reflection, interactive discussion and honest sharing of feelings, ideas, and beliefs in efforts for challenging violent behaviors and practices in families and communities. The organization supports and promotes partnerships and collaborations among men and women gender-based violence prevention strategies and working very closely with local leaders and other key stakeholders involved.

TUBIBE AMAHORO: The organization also uses the Journeys of transformation (Urugendo rugana ku mpinduka) model, paralegals, and safe spaces for mediation and conflict resolution. Tubibe Amahoro organization continuously follows up on the progress of conflicts resolution at household levels, in close collaboration with trained couples. Tubibe Amahoro also assists other couples with high conflict levels to settle and regulate their conflicts via dialogues and experience sharing. They use also anti-corruption justice and information centers(AJICS) to advise victims on legal matters as well as fighting against the corruption.

INTERNATIONAL ALERT: The organization’s mission is to promote unity and reconciliation between perpetrators of the genocide and survivors. They engage each party separately in a journey of healing and bring both parties together later for interactions. The journey is made of intense training and mentorship sessions on unity and reconciliation. Parties reconcile through a process of forgiveness and they become partners. They end up becoming champions who mobilize their peers who haven’t yet make a step towards reconciliation.

Community Based Socio-therapy-Mvura nkuvure: The organization focuses on healing, unity and reconciliation, integration and empowerment respectively. They use **mvura nkuvure approach**. The approach consists of identifying genocide survivors and perpetrators and works with each party separately for a given period. Later on, the organization brings the parties together

to start a joint journey around reconciliation and peaceful cohabitation. Participants in the process meet in regular sessions facilitated by trained community facilitators. As an outcome, issues that took years to be resolved are handled in this process; genocide perpetrators confess, pay back properties they had refused to return before, and they give information on where unfound bodies of the genocide victims are; survivors forgive perpetrators and they even decide to surrender their properties to be reimbursed by perpetrators. All parties join each other in groups and embark on joint income generating activities.

TRANSPARENCY INTERNATIONAL RWANDA: The organization uses (ALACS Approach) which is advocacy and legal advice centers. They advocate for the victims combined with advising them on legal matters. **ALACS** help to ensure that government institutions receive more detailed and elaborated complaints, making their investigation work easier. They use members of citizen Concerns committees based in the community responsible for tracking and reporting injustice cases to articulate information related to corruption for response.

- **Faith based organizations involved in ADR**

Catholic Church of Rwanda: The church has established ADR organ called (Commission for Peace and Justice) responsible for promoting peace and justice using mediation approach. The organ is established at all levels from the lower level: basic church called *Umuryango-Remezo* to the diocese. Selected volunteers are trained on relevant laws and mediation techniques and they get in conflict resolution and do counseling for couples in troubles and in awareness raising on peace and justice. The organ aims to promote justice, peace, and reconciliation in the tradition of Catholic social doctrine and helps enforce human rights.

Eglise Presbyterienne au Rwanda: In the efforts to promote unity and reconciliation the church established '**URUMURI club**' composed of genocide perpetrators and genocide survivors who reconciled. The church intervenes in education and communication on unity and reconciliation in the community using testimonies. The church also supports schools to form clubs called "**Peace Keepers**" in charge of mediation and train them. The church initiated Urumuli club that uses dialogues to handle issues among people and do different tours testifying on what happened and the need for reconciliation. They offer trainings for students called "peace keepers" deployed in schools. The church uses a "**conflict tree**" and "**cure-d'ame**" (gutega amatwi) as tools/techniques for mediation. The club offers pre-nuptial counseling (Inyigisho z'umubano) and trains pastors on how to do pre-nuptial counseling. It also provides advices to married couples (Ishuri ry'umuryango).

The Pentecostal Church of Rwanda ADEPR: The church has a healing and reconciliation unit that plays a role in uniting genocide perpetrators and survivors, prepares healing sessions with genocide survivors to welcome and live with genocide perpetrators who have completed their sentence of imprisonment. They also train genocide perpetrators on how to live with others in the society. They give cows (Kuremera) to the released person who will in return give the calf to the survivor. This strengthens relationships between genocide survivors and perpetrators. ADEPR has pastors who are in charge of resolving domestic conflicts and has committees in charge of conflict resolution among men, women and youth. Pastors' wives and overall body of conflict resolution called the CEA are also involved in mediation and dispute resolution in the church.

Rwanda Muslim Community (RMC)- Islam Rwanda: It has a department in charge of conflict resolution and justice from the mosque level to the national level. RMC institutionalize dialogues on '**family without conflicts**' that are conducted every two months as well as specific dialogues for new married couples on how they should handle family issues. They offer training to members of family conflict resolution team. They are also involved in resolving conflicts on land and succession. They use AMI approach called Amataba y'Amahoro whereby one group of

perpetrators come from the pick of a hill (akanunga k'ubugome-killers) and survivors stands from the valley signified as area of grief (igikombe cy'amaganya-survivors) and meet in the middle called "amataba" in Kinyarwanda where they start fruitful discussions on reconciliation. The mediators give them (perpetrators and survivors) the chance to list what each group thinks about the other group, then they exchange papers. Each group learns about what the other group thinks about them. They finally proceed to the step of shaking hands which is '*amaboko mahire*', finally they end up by admitting that what brings them together is greater than their differences. After parties are united, they make contracts of good neighborhood. RMC conduct reconciliation dialogues in prisons to impact the attitudes and frustrations of prisoners.

Prison Fellowship (PFR): PFR uses the approach of conducting community dialogues and mediation meetings with all prisoners especially genocide perpetrators to help them accept that they have committed genocide and seek for forgiveness from survivors. PFR also prepares the community to receive genocide perpetrators after completing their punishment. The focus is put on building trust between two parties, the perpetrator and the survivor (uwishe n'uwiciwe). A prisoner who is convinced, writes a letter seeking for forgiveness from the victim. In such a case, PFR facilitates a physical meeting and moderates the session to reach common ground. It also conducts psychosocial community group healing. Those who have walked the journey of unity and reconciliation stay in village of unity and reconciliation (Imidugudu y'ubumwe n'ubwiyunge).

Anglican Church of Rwanda: The church has conflict resolution organs from the lowest level to the highest level of the church structure. They use the word of God as conflict resolution approach to win the hearts and convince parties in conflicts to change their minds. The church has organs responsible of settling disputes called **Mothers Union, Fathers Union** and **Youth union**. The organs organize initiatives that aim to unify families in conflicts in particular and build families centered on Christ. Those initiatives include 'but are not limited to home visits to families with issues.

4.3. Illustrative achievements, success stories and best practices of existing ADR service providers/initiatives

As illustrated in table 2 below and also reported by participants in FGDs conducted during this assessment, the existing ADR structures have drastically reduced the cost of justice. A huge amount of money would have been spent on court procedures if ADR structures had not been used between 2018 and 2021. The case submission court fees and lawyers' fees on all resolved cases would have been **746,290,000** frw and 37,314,500,000 frw respectively if the resolved cases were to be submitted to courts. More importantly, they have cemented social cohesion as compared to a court verdict that generally leads to a win-lose outcome.

No	ADR providers	No of cases resolved	Source of information	Estimated Court fee	Estimated lawyer fees
1	Abunzi	47,898	MINIJUST Annual report 2018/2019 (P.8)	478,980,000	23,949,000,000
2	MAJ	20,423		204,230,000	10,211,500,000
3	Legal Aid Forum Rwanda	725	LAF Report 2020(P.11)	7,250,000	362,500,000
4	HAGURUKA	237	Haguruka Report 2019 (P.27)	2,370,000	118,500,000
5	Lawyers of Hope	230	Lawyers of Hope 2019 annual report	2,300,000	115,000,000

6	Inteko z'Abaturage	2,191	District reports (Nyamasheke, Nyanza, Ruhango, Karongi, Gakenke)	21,910,000	1,095,500,000
7	Umugoroba w'Imiryango	1,113		11,130,000	556,500,000
8	Inshuti z'Umuryango	1,812	Reports shared by 10 sectors (5 in Ngoma & 5 Musanze districts)	18,120,000	906,000,000
Total				746,290,000 frw	37,314,500,000

Table 2: Contribution of ADR to reduce the cost of justice between 2018 and 2021

6. Abunzi and MAJ

Findings from the focus discussions with different stakeholders affirmed the incredible work of *Abunzi* and MAJ in handling disputes of citizens that would have gone to the courts of law. As illustrated in table 3 below, MAJ offices received 6,975 cases and 6,246 equivalents to (90%) were resolved whereas Mediation committees/*Abunzi* received 15,012 cases and 14,744 equivalents to 98% were resolved, only in 2019. If these ADR structures hadn't been there, all these cases would have become a huge burden to the courts and other institutions in charge. In terms of quality, *Abunzi* and MAJ services are also highly regarded. According to RGB reports, Citizens have shown a high level of satisfaction with MAJ, *Abunzi* services. This satisfaction stands at an average of **81.31%** and **82.23%** for *Abunzi* and MAJ respectively for the period between 2016 and 2019.

“MAJ and Abunzi did not only mitigate cases that would be lodged in courts but also contributed in promoting decentralized justice service at free cost hence cementing citizen centered approach” Official in Nyamasheke district.

No	District	ADR provider	No of cases received	No of Cases handled	Cases referred to other organs	Pending
1	Gakenke	Abunzi	2,271	2,266	0	5
		MAJ	1,016	906	110	0
2	Gasabo	Abunzi	1,212	1,164	0	48
		MAJ	670	625	43	2
3	Karongi	Abunzi	1,505	1,497	0	8
		MAJ	536	488	48	0
4	Kicukiro	Abunzi	484	475	0	9
		MAJ	742	608	128	6
5	Musanze	Abunzi	4,009	3,985	0	85
		MAJ	638	638	0	0
6	Ngoma	Abunzi	354	354	0	0
		MAJ	451	401	50	0
7	Nyamasheke	Abunzi	910	894	0	16
		MAJ	476	457	19	0
8	Nyanza	Abunzi	1,621	1,575	0	46
		MAJ	1,023	928	90	5
9	Ruhango	Abunzi	1,796	1,742	0	54
		MAJ	1,074	911	163	0
10	Kayonza	Abunzi	850	792	0	58
		MAJ	349	284	65	0

Table 3: cases received and handled by *Abunzi* and MAJ (MINIJUST Annual Report 2019)

- **Inteko z'Abaturage, Inshuti z'Umuryango, Umugoroba w'Imiryango and Isibo**

Participants in the focus group discussions had a perception that these structures have been beneficial because they are closer to the citizens.

“If these structures didn't resolve disputes, they have at least raised awareness of the citizens on how to deal with conflicts”, said on leader in Ngoma District during the interviews with FGDs.

The perceptions of respondents in the ADR assessments corroborated data from Districts annual reports on ADR structures. As shown in table 4 below, between 2019 and 2021, *Inteko z'abaturage* in five districts (Ruhango, Gakenke, Nyamasheke, Nyanza and Karongi) received **2,257** cases and **2,191** equivalents to **97%** were resolved while only **7%** were referred to other organs. On the other hand, *Umugoroba w'Imiryango* received **1,158** cases and **1,113** of them equivalent to **96%** were resolved: only **4%** referred to other agencies.

No	District	Name of ADR structure	Year	No of cases Received	No cases resolved	Cases oriented to other organs
1	Ruhango	<i>Inteko z'Abaturage</i>	2019/2020	500	487	13
		<i>Umugoroba w'Imiryango</i>		156	119	37
2	Gakenke	<i>Inteko z'Abaturage</i>	2020/2021	122	117	5
		<i>Umugoroba w'Imiryango</i>		119	115	4
3	Nyamasheke	<i>Inteko z'Abaturage</i>	2019/2020	398	393	5
		<i>Umugoroba w'Imiryango</i>		719	719	0
4	Nyanza	<i>Inteko z'Abaturage</i>	2019/2020	711	692	19
		<i>Umugoroba w'Imiryango</i>		48	45	3
5	Karongi	<i>Inteko z'Abaturage</i>	2019/2020	526	502	24
		<i>Umugoroba w'Imiryango</i>		116	115	1
Total				3,415	3,304	111

Table 4: cases received and handled by Inteko z'Abaturage and Umugoroba w'Imiryango (from District reports 2019-2021)

- **Inshuti z'Umuryango**

Participants in FGDs commended the tremendous role of Inshuti z'Umuryango in handling disputes in the community and their capacity to engage families in dialogue. As indicated in table 5 below, IZU in Ngoma and Musanze District received 2,121 cases, successfully handled 1,821 cases and referred 309 cases to other structures.

“IZU approach of visiting family to family is right especially in addressing family matters due to the secrecy nature of their approach”. According to JADF officer in Nyamasheke

District	Sector	Total cases received	Total cases resolved	Cases referred
Musanze	Cyuve	264	234	30
Ngoma	Gashanda	200	193	7
Musanze	Gataraga	204	137	67
Ngoma	Jarama	247	240	7
Musanze	Busogo	477	369	108

Ngoma	Karembo	112	103	9
Musanze	Muhoza	166	144	22
Ngoma	Mutenderi	209	190	19
Musanze	Muko	164	130	34
Ngoma	Kibungo	78	72	6
Total		2,121	1,812	309

Table 5: Cases received by IZU in Ngoma and Musanze Districts from (From IZU reports 2021)

- ADR structures initiated by FBOs and CSOs

In all 10 districts covered by the assessment, participants in FGDs noted the importance of FBOs in dispute resolution, healing, peace building and unity and reconciliation. Most of citizens are believers and affiliated to different churches, FBOs have influence on them and therefore this influence should be used as an opportunity. It was found that in districts where churches and FBOs are engaged in dispute resolution, they make a great contribution. For example, in Nyanza District, FBOs played a role in the reconciliation process between genocide survivors and perpetrators. As a consequence, 843 gacaca judgments that were not executed for a long period could be executed with the involvement of FBOs. Different FBOs in the district joined their efforts with the district authorities to accelerate the process of unit and reconciliation.

“Thanks to the joint participation of FBOs in the execution of Gacaca judgments in short period, that took years without being resolved in a short period which animated Nyanza district to be nominated as the top district in unity and reconciliation countrywide in 2019” official in Nyanza commented.

It is important to mention that all FBOs are playing a significant role in healing, peacebuilding, unity, and reconciliation efforts particularly in the reintegration of genocide perpetrators and other ex-prisoners to ensure peaceful cohabitation with the residents.

As it was found from FGDs with different stakeholders, CSOs play a pivotal role in healing, peacebuilding and reconciliation processes. Some are involved in the process of reconciliation between genocide survivors and perpetrators and they use innovative approaches. *Mvurankuvure* is one example of those approaches. It has been initiated by Rwanda Socio-therapy Organization and it facilitates the reconciliation between genocide perpetrators and survivors by organizing them in groups to openly discuss the history and come up with a conclusion of reconciling. Using this approach, the organization in partnership with the unity and reconciliation forum at the district level managed to do the mediation between genocide survivors and perpetrators and a number of gacaca judgment cases were resolved. Out of **297** cases of unexecuted gacaca judgments for example, **123** were pardoned on the willing of survivors to forgive a result of power of mediation that saved a total amount of **9,110,160** frw that was supposed to be paid by perpetrators.

- Local level Initiatives to disputes resolution

Some approaches of ADR identified during the assessment are new and are being piloted at a small scale, but they are promising practices that have potential to be successful, institutionalized and scaled-up at the national level like Isibo that started in one sector of Ngoma District and became late institutionalized and became one of the governance structures at the decentralized level. Those approaches are: Igiti cyibisubizo that is piloted in Ngoma District and Bamaso Program in Kagarama Sector, in Kicukiro District.

4.5. Gender considerations in disputes resolutions

Female participation in dispute resolution in Rwanda is very low, and is mostly limited to a few women and women's groups acting as "Abunzi". In addition, certain types of injustices that tend to face mainly women, like domestic violence and GBV cases are often underreported and/or not fully considered in community based ADR.

Traditionally, men took the lead in dispute resolution with no direct participation of women in the process, but in some cases, women influenced the conflict resolution process in the background and would be consulted in private. In this process their views would be considered in dispute resolution processes especially in cases related to divorce and separation. Findings show that there are many disputes related to the transition from the historical patriarchal mind-set to the new understanding of gender equality and complementary practices, policies, laws and processes. These disputes are the result of the shift in culture and mind-set away from patriarchy cannot be adequately addressed in the conventional justice system. Some beneficiaries of ADR at the grassroots level reported that gender-based violence is very often due to the misunderstanding of gender equality and collaboration.

The first misunderstanding comes from men who view gender equality as a threat that jeopardizes their power as head of families. These men believe that gender equality is positioning women over their husbands. Men who view gender in this perspective are those who still uphold negative attitudes and behaviors. On the other hand, citizens reported that families experiencing conflict that received support, understood and welcomed the concept of gender equality and collaboration became more peaceful. Resolving conflict sometimes requires educational programs that increase knowledge, and changes behavior and attitudes to those that improve relationships.

Success stories

Some success stories below were noted during assessment which can influence peer learning peer review mechanism:

- Some fruitful innovations such as Igiti cy'Ibisubizo in(Ngoma) Bamaso Program in Kagarama sector(Gasabo) and wiwusenya turahari in Ngoma district, Sake Sector are contributing a lot in dispute prevention and settlement.
- Working synergy between government, CSOs, and FBOs has been identified as a fruitful strategy to resolve citizen conflicts case study of Nyanza and Karongi a practice that responds to desired partnership stipulated in NST1.
- Inshuti z'Umuryango in Gasabo district formed the saving groups as a tool/unifying factor to bring them together to discuss and share information on their operations as well as promote self-reliance.
- Capacity building initiatives of different CSOs such as LAF, HAGURUKA, RCN, Never Again Rwanda, FXB, Transparency International Rwanda to mention but few to local volunteers' of ADR structures was appreciated by local leaders as driving force towards enhancing performance and effectiveness of ADR structures
- It was observed that innovation may begin in one district, sector, or cell and become adopted/useful countrywide. For example, ISIBO was initiated in Ngoma District and is currently useful countrywide.

4.5. Needs and challenges of existing ADR structures/initiatives

Participants in FGDs consistently reported on the following key challenges:

a. Lack of knowledge and skills to practice ADR effectively: The gap was reported on both ADR volunteers and local leaders. The great majority of Abunzi and IZU (90%) who participated in the assessment reported that they attended training before 2020. However, facilitators in *Umugoroba w'imiryango* have not been trained since their appointment. Structures who received training complained that only one or two representatives out of many in the structure attended the training and it was not enough. Skill gaps mentioned are in areas of conflict analysis, relevant laws (land law, family law, GBV law, matrimonial and succession law, and child protection law). Almost in all FGDs with District officers and local leaders, it was reported that some Abunzi behaves like judges instead of being mediators and affirmed some behave as when they were serving in Gacaca jurisdiction. Ndibabaje the from Kinigi sector, Kampanga cell said that before they used to behave like judges but due to continuous training on how they should behave, improved their working and delivery.

b. Lack of conducive working environment and working tools: Lack of specific and known working space especially for *Abunzi* committees was reported in all districts covered during the assessment. *Abunzi* uses sector or cell board rooms and sometimes *Abunzi* sessions coincide with other sector or cell events such as civil marriage functions. In such cases, *Abunzi* either postpone their sessions or work outside in conditions that are not conducive. People who facilitate mediation sessions lack key materials such as smartphones to facilitate evidence-based reporting, especially when they have conducted field visits. Almost all *Abunzi* who participated in the FGDs during this assessment reported that they often lack paper, pens, photocopying service, communication. They also expressed the need for boots and umbrellas during rainy seasons when doing their work and drinking water during their sessions. *Abunzi* claimed that their files are not well kept due to lack of adequate equipment.

c. Lack of coordination of ADR interventions: There is a need for one body at district level that can coordinate all efforts in ADR: formal and informal structures involved in ADR mechanisms. Lack of this body leads to undocumented achievements and success stories of ADR structures at all levels. FBOs for instance are not engaged in ADR and mediation efforts yet they have a great influence in the society especially in conflict resolution and they do a lot. Furthermore, MAJ officers have reported the issue of quality of *Abunzi* reports that do not give clarity and details of an issue yet MAJ bases on those reports to prepare submissions to courts. Lack of information sharing forum for all parties involved in ADR and overlapping responsibilities of some ADR structures make it impossible to work in synergy. It was also reported during the FGDs with CSOs that CSOs operating in access to justice and ADR in general don't know what each one is doing, the scope of work of each CSO hence leading to duplication of efforts, scattering of resources and complicating referral system hence affecting beneficiaries.

d. Citizens' mindset: Majority of citizens are interested in win-lose outcome and they don't value the power of mediation. This is due to rampant inter or intra-family conflicts, or other gains such as distribution of assets after divorce or separation. This behavior even leads to refusing to consent to courts decisions and the judgement execution. Some parties in the alternative disputes don't trust mediators and they end up in courts of law without necessarily valuing the cost of resorting to courts. All of this undermines the efforts of mediation and of alternative dispute resolution. Furthermore, to those who deny to willingly execute the court resolutions, they end up paying high costs including the execution of beillif and indemnities dictated by a court as well.

e. Lack of support and attention to details from local authorities: Normally, *Abunzi* receives complaints that were addressed to competent local leaders before but not handled. It was reported by participants in the FGDs that some local leaders are not supportive to ADR volunteers while others don't take time to analyze and address cases submitted to them as their routine mandate; instead, they simply record and forward cases to *Abunzi* regardless of assessing whether cases referred to them (*Abunzi*) are not in their competence.

f. Threats: Some volunteers in ADR especially IZU, are threatened and even beaten by other citizens. This case was reported in some districts such as Ngoma, Ruhango, and Nyanza because they reported sensitive cases.

g. Different instructions on how to deliver for some structures: For example, lack of uniformity on how to write verdict or minutes of *Abunzi* was reported as a serious concern that needs to be rectified urgently. In some districts, they are required to write one original verdict/minutes and make two copies and stamp it, while in other districts such as Ngoma, Gasabo, Gakenke they are obliged to write three original copies of verdict composed of 24 copies, a practice *Abunzi* calls a burden. It is important to mention that this issue compelled one of the Mediators in the Nduba sector to use his machine as a personal solution to relieve himself from that tiresome work.

h. Multi-tasking: In all districts, it was found that one person among ADR volunteers can have at the same time three positions of volunteer in different structures. For instance, one may serve as a mediator in *Abunzi* structure, a cell counselor, and a volunteer in an initiative of the civil society organization. This affects their performance and their family responsibilities. It was assumed by participants in FGDs that this is due to speculation around monetary incentives in those positions.

i. Family council is inexistent: The family council is recognized by the law governing persons and families in Rwanda and conflicts in families would have been first handled by the family council before going to other organs. Identified as the reason behind the increment of number of cases addressed to other organs. Connected to that, it was reported that parents are becoming irresponsible to economize the properties for the sake of future of their children under the cover of law that does not oblige parent to give properties to children in so called (*umunani*).

j. Low motivation: It was reported that some volunteers in ADR structures have low determination including *Abunzi*, IZU, paralegals, facilitators of *Umugoroba w'umuryango*. Others are aged and don't have the stamina to fulfill their responsibilities as far as ADR is concerned. The absence of some members of *Abunzi* disrupts the convening of *Abunzi* sessions hence leading to poor service delivery to citizens. The factors attributed to this ranges from lack of motivation, ageing, personal business to survive to mention.

k. Minimized influence and role of the families in addressing conflicts between family members were identified as the reason behind the increment of number of cases addressed to other organs. Connected to that, it was reported that parents are becoming irresponsible to economize the properties for the sake of future of their children under the cover of law that does not oblige parent to give properties to children in so called (*umunani*).

Some members of ADR structures whether *Abunzi*, IZU, *Umugoroba* and paralegals are no longer motivated, others are too aged which affect and discourage others and reduce the expected performance results.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusion

As presented in the findings, the assessment of ADR structures in Rwanda conducted by Haguruka and partners looked at the existing ADR structures and approaches initiated by the government, CSOs and FBOs for mediation towards amicable dispute resolution. It also looked at achievements, success stories and best practices. Last but not least, the assessment inquired on challenges and needs of ADR structures.

The assessment helped identify a number of structures and approaches of ADR that are locally-based and that help citizens resolve their conflicts without using courts of law. Most of the structures work at the village and cell levels and are easily accessible to citizens. The ADR structures led by the government get support from the government, CSOs and FBOs. ADR initiatives led by CSOs and FBOs bring a valuable contribute to the government efforts in promoting alternative dispute resolution jurisprudence.

Some approached of ADR were born out of the local level initiatives and have potential to become best practices that can be institutionalized and scaled-up to the national level. These are for example: Igiti cyibisubizo, Bamaso Program and Mvura nkuvure.

Working in partnerships between FBOs and public authorities in ADR mechanism yielded a lot of benefits. ADR structures enormously reduced the cost of justice and restored social cohesion especially between genocide survivors and perpetrators. Satisfaction of citizens with services of ADR structures, in particular Abunzi and MAJ is very high as per the RGB reports.

Nonetheless, there are challenges to address in order to make community based ADR structures and model more effective and more inclusive. The low participation in the focus of females in focus group discussions is alone an indication of gender imbalance in ADR structures and possibly in outcomes of the dispute resolution.

Other challenges and unmet needs in ADR mechanism include but are not limited to:

- Lack of knowledge and skills to practice ADR effectively among practitioners
- Lack of conducive working environment and working tools for ADR structures
- Lack of coordination of ADR interventions:
- Citizens' mindset and reluctance to resort to mediation
- Lack of attention to details from local authorities involved in ADR
- Different instructions on how to deliver for same ADR structures
- Multi-tasking for volunteers in ADR structures
- Family council is inexistent
- Low motivation of volunteers in ADR structures

5.2 Recommendations

In light of the above findings from the assessment, some recommendations were formulated in order to address challenges, respond to needs and replicate best practices where possible

- The Ministry of Justice in collaboration with FBOs forums and CSOs in access to justice, should establish regular coordination forum of formal and informal ADR structures at national and local level that would serve as information sharing forum, streamline joint monitoring and harness the achievements of all ADR actors.
- MINIJUST, MIGEPROF, MINUBUMWE, MINALOC, affiliated agencies, districts and CSOs, should strategize on how they can mobilize resources to provide necessary tools and materials to volunteers of ADR structures in order to help them fulfil their roles effectively.
- Government and its partners to strengthen the capacities of ADR volunteers by sharpening them on key laws such as family law, GBV law, child protection law, land law, and succession law, techniques of mediation and documenting the cases.
- Government and partners should encourage synergy of volunteers in different ADR structures, especially those with related mission and similar approaches to avoid duplication of effort, scattered interventions and working in isolation while serving the same beneficiaries.
- Public authorities in districts should involve CSOs and FBOs in ADR initiatives and capitalize on their influence and coverage to facilitate in addressing citizens' complaints.
- Regulating institutions of ADR structures should put in place the guidelines that discourage ADR volunteers and actors to hold multiple roles since it affects the effectiveness and expected productivity.
- MINIJUST, MINALOC to engage districts to secure the permanent working environment of Abunzi during their session to avoid ad hoc postponing of their sessions especially when it corroded with other events such as civil marriage ceremonies and other meetings.
- To observe the uniformity in working methodology of *Abunzi* by setting the working standard and empowering MAJ office and JRLOs to conduct regular joint monitoring of *Abunzi* and other structures by bringing onboard staff of line ministries regulating other ADR structures at district level.
- There is a need for institutions regulating ADR structures to make reform in members of ADR committees since some of them are no longer motivated, while others are too old to undertake the responsibilities.

- To internalize and institutionalize mediation/ADR strategies in state and non-state institutions and other groups of society including youth as an alternative approach due to their unique outcomes to build peaceful cohabitations among Rwandans. There is a need also to revitalize the family council to enhance the influence of family in addressing family conflicts by serving as a primary forum of conflict resolution before resorting to other organs
- Government institutions, CSOs and FBOs involved in capacity building of ADR structures should jointly develop a harmonized training manual responding to the capacity gaps raised and tailored in specific mission of structures with similar responsibilities to avoid contradiction of efforts.
- ADR should create spaces for men facing gender-based violence because until now there are few recognized initiatives designed to support men deal with domestic violence. Additionally, gender as a topic should be incorporated into ADR capacity building and women should be given opportunities to lead ADR processes.
- To design M&E tool that should gauge the achievements of ADR structures despite of the specific interventions to show the extent each stakeholder is contributing in ADR promotion in general and mediation in particular.

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Ministry of Justice Annual Report of activities 2018/2019 (p.g 8,31,32,33,34)

National Legal Aid Policy (p.g 22)

H.E Paul Kagame speech:<https://www.youtube.com/watch?v=iTwshCckB4M>

Annex 1

QUESTIONS DEDICATED TO LOCAL LEADERS DURING FOCUS GROUP DISCUSSIONS

QUESTIONS DEDICATED TO LOCAL LEADERS DURING FOCUS GROUP DISCUSSIONS			
S/N	KEY AREAS OF FOCUS	QUESTIONS	ANSWERS AND OBSERVATIONS
1	Mapping OF alternative dispute resolution community structures	a) Elaborate conflict resolution community structures that operates/exist in your district and their initiators.	Name
			Scope of operation
		b) What are conflict resolution structures/forums that were established based on law, policy or instructions guiding their functioning?	
2	Performance/effectiveness appreciation	a) How do you see the relevance and support of conflict resolution structures to district leadership	
		b) How can you rank the performance of existing ADR structures	
3	Reporting procedure	To whom does conflict resolution community structures report to given their different nature	
4	Achievements/best practices	What are achievements registered by conflict resolution structures measured in terms of number of cases they addressed	
5	Challenges hinders ADR effectiveness	What are key challenges affecting the performance of conflict resolution community structures	
6	Recommendations	What can be done to enhance the productivity of conflict resolution structures to be more effective?	

SPECIFIC QUESTIONS DEDICATED TO REPRESENTATIVES OF COMMUNITY LED CONFLICT RESOLUTION STRUCTURES

1	Approaches used in conflict resolution	Which approach(es) do you use during conflict resolution and mediation exercise?	Name of structure		Approach they use		
2	Capacity building	Were you trained in the conflict resolution and mediation approaches/mechanisms? If yes, when was the last training held and topic and who trained you?					
		Where do you have capacity gap and what kind of capacity building skills you need as far as categories are concerned					
3	Achievements	How many cases have you received, resolved or referred to other organs					
4	Documentation & Reporting	Do you document the received and resolved cases? If yes how?					
		What are the top 3 frequent cases you receive and what makes them too many?					
		Have you received the cases of people with disability					
In case you received cases of people with disability how have you managed to handle?							
5	Challenges	What are the challenges encountered by conflict resolution community structures during redress of citizen complaints/conflicts?					
6	Recommendations	What can you recommend to improve effectiveness of ADR conflict resolution structures?					

Annexes 2

ASSESSMENT TOOL OF MAPPING ADR COMMUNITY LED CONFLICT RESOLUTION STRUCTURES

QUESTIONS DEDICATED TO LOCAL LEADERS DURING FOCUS GROUP DISCUSSIONS

S/N	KEY AREAS OF FOCUS	QUESTIONS	ANSWERS AND OBSERVATIONS	
1	Mapping of alternative dispute resolution community structures	<p>a) Elaborate conflict resolution community structures that operates/exist in your district and their initiators.</p> <p>b) What are conflict resolution structures/forums that were established based on law, policy or instructions guiding their functioning?</p>	Name	Scope of operation
2	Performance/effectiveness appreciation	<p>a) How do you see the relevance and support of conflict resolution structures to district leadership</p> <p>b) How can you rank the performance of existing ADR structures</p>		
3	Reporting procedure	To whom does conflict resolution community structures report to given their different nature		
4	Achievements/best practices	What are achievements registered by conflict resolution structures measured in terms of number of cases they addressed		
5	Challenges hinders ADR effectiveness	What are key challenges affecting the performance of conflict resolution community structures		
6	Recommendations	What can be done to enhance the productivity of conflict resolution structures to be more effective?		

ASSESSMENT TOOL OF MAPPING ADR COMMUNITY LED CONFLICT RESOLUTION STRUCTURES

Questions guided focused group discussions with members of ADR structures

SPECIFIC QUESTIONS DEDICATED TO REPRESENTATIVES OF COMMUNITY LED CONFLICT RESOLUTION STRUCTURES

1	Approaches used in conflict resolution	Which approach(es) do you use during conflict resolution and mediation exercise?	Name of structure		Approach they use	
2	Capacity building	Were you trained in the conflict resolution and mediation approaches/mechanisms? If yes, when was the last training held and topic and who trained you?				
		Where do you have capacity gap and what kind of capacity building skills you need as far as categories are concerned				
3	Achievements	How many cases have you received, resolved or referred to other organs				
4	Documentation & Reporting	Do you document the received and resolved cases? If yes how?				

		What are the top 3 frequent cases you receive and what makes them too many?			
		Have you received the cases of people with disability			
		In case you received cases of people with disability how have you managed to handle?			
5	Challenges	What are the challenges encountered by conflict resolution community structures during redress of citizen complaints/conflicts?			
6	Recommendations	What can you recommend to improve effectiveness of ADR conflict resolution structures?			